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## From President John Prinkki

### NACo Energy Environment and Land Use Committee Report



Montana Officials/MACo Representatives stand in front of a replica of the Susan Constant, which is docked at the Jamestown Settlement site; it was visited during the All-Conference event on July 15. NACo's 72nd Annual Conference was held July 13-17, 2007 in Richmond, Virginia.

I represented MACo on the Energy Environment and Land Use Committee at the NACo Annual Conference in Richmond, Virginia, July 13th & 14th. I really appreciate the opportunity to serve on this committee and will share with you the issues and challenges that we dealt with.

The EELU Committee was presented 17 resolutions to discuss. Of these, eight were new, and the other nine needed to be reaffirmed. This year, in order to accommodate speakers during the five separate subcommittee meetings, a Resolution and Proposed Platform Change meeting was held early at 7:30 a.m. Friday morning. All new resolutions were segregated for a presentation by the author. Those resolutions up for reaffirmation were to be presented as a block on Saturday before the full EELU Committee.

The new resolutions were titled:

1. Restore Clean Water Act
2. Resolution on Waters of the U.S.
3. Urging counties to adopt the "2030 Challenge" for Buildings

4. Adopting USEPA's Energy Star Challenge to Reduce Energy Use in Public and Private Sector Buildings
5. Support of Electronic Waste Recycling
6. Federal Consistency with Local Land Use Laws
7. Support of H.R. 85, the Energy Technology Transfer Act
8. Support Increased Funding for Methamphetamine Research, Enforcement, Treatment, and Education of Users and their Families and Cleanup of Contaminated Sites

I will not go into detail on all of these new resolutions. Only the Resolution to Restore the Clean Water Act failed to pass, and the Federal Consistency with Local Land Use Laws is already included in the NACo Platform. The others are available for review on the NACo website. I will discuss several of the resolutions that have a more direct impact on Montana and that were controversial in discussion.

("President's Report" Continued on Page 17 . . .)



# MACo News

## Connie Eissinger Retires from WIR Board of Directors

By Harold Blattie, MACo Exective Director

McCone County Commissioner, Connie Eissinger has announced her resignation from the Western Interstate Region Board (WIR) of Directors and from the NACo Public Lands Steering Committee in order to devote more time to McCone County and her family.

Connie was appointed to both positions in 1994 and in 2006 served as the President of WIR. During her tenure, Connie has actively participated in development of state and national policy related to public lands, working tirelessly to increase funding for PILT. Connie earned the respect of commissioners in other states and with federal agencies as a commissioner willing to listen to all



**Connie Eissinger**  
McCone County Commissioner

aspects of an issue before forming an opinion. Her leadership and sound judgment will be missed by all.

Each of the 15 states in the Western Interstate Region has two positions on the WIR Board, one representing a rural county and the other an urban county. Applications are being accepted to fill Connie's position on the WIR Board to represent rural counties with Bureau of Land Management interests. The commissioner appointed to this vacancy will also be appointed to serve on the NACo Public Lands Steering Committee.

Commissioners interested in being considered to this appointment should submit a letter of interest to MACo: 2715 Skyway Dr., Helena, MT, 57602; (406) 444-4360.

## Welcome to MACo!



**Tom Swindle**  
MACo Finance Officer

Tom Swindle has joined the MACo staff as Finance Officer. Many of you know Tom who has been MACo's outside independent auditor since 1992. Tom replaces Patti Grosfield who has accepted another position.

Tom received his Bachelor's degree from the University of Texas, El Paso in 1969

and his Masters from Louisiana Tech University in 1981. Prior to his Masters coursework, Tom served in the U.S. Air Force as a pilot and instructor, earning numerous medals and awards.

Tom has spent the past 16 years in private practice as a CPA in Helena and has been active in the Helena community, serving six years as a commissioner of the Helena Airport Authority where he also served as the Chair during the terminal expansion/remodel project. He has also been involved in the local CASA program for eight years and is a 16 year member of the Helena Rotary.

Please join MACo in welcoming Tom as the newest member the staff. You can contact Tom at [macofin@maco.cog.mt.us](mailto:macofin@maco.cog.mt.us) or 406-444-4374.

### MACo News Invites Letters to the Editor

If you have a compliment, complaint, or suggestion, please let us know!

Please include your name and county with your letter, and email your thoughts to:

[macopb@maco.cog.mt.us](mailto:macopb@maco.cog.mt.us)

## Mark Your Calendars

### August

- 7 - 10, 2007 Western Planners Association Conference, Dickinson, ND
- 8, 2007 HJ 46 Subcommittee Working Group, 10 a.m.-Noon, Room 137, Capitol
- 20 - 24, 2007 Montana Clerk & Records Association Annual Conference, Great Falls
- 30, 2007 HJ 46 Subcommittee Working Group, 10 a.m.-Noon, Room 137 Capitol

### September

- 7, 2007 (SAVA) State Admin-Veterans Affairs Interim Committee, Helena
- 10, 2007 Governor's Digital Summit, Helena
- 17 - 19, 2007 County Treasurers Annual Conference, Missoula
- 23 - 26, 2007 MACo Annual Conference, Great Falls
- 26, 2007 District Court Council-Chico
- 26 - 27, 2007 Law & Justice Interim Committee, Butte
- 30 - Oct. 4, 2007 Magistrates Fall Conference

### October

- 3 - 5, 2007 Governor's Work Comp Conference, Big Sky
- 3 - 5, 2007 WIR Board Retreat, St. George, UT
- 29 - 31, 2007 AGRIP Fall Meeting-Savannah, GA

### November

- 7 - 9, 2007 Rocky Mountain Fair Association, Billings
- 8 - 9, 2007 Law & Justice Interim Committee
- 16, 2007 Child, Families, H & HS Interim Committee, Helena
- 28 - 30, 2007 JPIA/JPA/HCT Trustee Retreat
- 29 - 30, 2007 SAVA Interim Committee, Helena

### December

- 10 - 14, 2007 Commissioner Certification, Helena

### February

- 11 - 15, 2008 Mid-Winter Conference, Holiday Inn, Billings





# MACo News

## County Fiscal Year 2008 Gas Tax Allocations

County	M.C.A. 15-70-101 Allocation Funds	M.C.A. 7-14-102(2) Allocation Funds	County Total Allocation FY 2008	County FY-2007 Allocation	Change
Beaverhead	\$143,504	\$1,707	\$145,210	\$146,142	(\$931)
Big Horn	\$138,086	\$1,642	\$139,728	\$140,891	(\$1,162)
Blaine	\$124,815	\$1,484	\$126,299	\$127,282	(\$983)
Broadwater	\$55,456	\$660	\$56,116	\$53,969	\$2,146
Carbon	\$82,331	\$979	\$83,310	\$82,259	\$1,051
Carter	\$64,486	\$767	\$65,253	\$65,578	(\$325)
Cascade	\$211,740	\$2,518	\$214,259	\$216,344	(\$2,085)
Chouteau	\$136,518	\$1,624	\$138,141	\$139,992	(\$1,850)
Custer	\$82,937	\$986	\$83,923	\$84,277	(\$354)
Daniels	\$50,345	\$599	\$50,944	\$51,147	(\$204)
Dawson	\$88,063	\$1,047	\$89,110	\$89,126	(\$16)
Deer Lodge	\$41,628	\$495	\$42,123	\$42,333	(\$210)
Fallon	\$50,828	\$605	\$51,433	\$51,825	(\$392)
Fergus	\$130,912	\$1,557	\$132,469	\$133,179	(\$710)
Flathead	\$467,636	\$5,562	\$473,197	\$474,318	(\$1,120)
Gallatin	\$287,494	\$3,419	\$290,914	\$273,992	\$16,922
Garfield	\$85,840	\$1,021	\$86,861	\$90,559	(\$3,698)
Glacier	\$115,800	\$1,377	\$117,177	\$117,607	(\$430)
Golden Valley	\$33,705	\$401	\$34,106	\$33,949	\$157
Granite	\$56,100	\$667	\$56,768	\$56,948	(\$181)
Hill	\$137,628	\$1,637	\$139,265	\$139,804	(\$539)
Jefferson	\$99,571	\$1,184	\$100,755	\$99,656	\$1,099
Judith Basin	\$63,710	\$758	\$64,467	\$64,720	(\$253)
Lake	\$181,735	\$2,161	\$183,897	\$183,377	\$519
Lewis & Clark	\$259,742	\$3,089	\$262,831	\$262,749	\$83
Liberty	\$57,238	\$681	\$57,919	\$58,198	(\$279)
Lincoln	\$218,362	\$2,597	\$220,959	\$221,140	(\$181)
Madison	\$114,706	\$1,364	\$116,070	\$115,254	\$816
McCone	\$69,653	\$828	\$70,481	\$70,434	\$47
Meagher	\$50,305	\$598	\$50,904	\$51,136	(\$233)
Mineral	\$62,958	\$749	\$63,707	\$63,453	\$253
Missoula	\$318,645	\$3,790	\$322,435	\$318,852	\$3,583
Musselshell	\$56,881	\$677	\$57,558	\$60,629	(\$3,072)
Park	\$113,084	\$1,345	\$114,429	\$114,960	(\$531)
Petroleum	\$36,326	\$432	\$36,758	\$36,974	(\$216)
Phillips	\$116,529	\$1,386	\$117,915	\$119,232	(\$1,316)
Pondera	\$71,341	\$848	\$72,190	\$72,403	(\$213)
Powder River	\$68,367	\$813	\$69,180	\$69,540	(\$361)
Powell	\$70,365	\$837	\$71,202	\$71,481	(\$280)
Prairie	\$42,833	\$509	\$43,342	\$43,585	(\$243)
Ravalli	\$281,089	\$3,343	\$284,432	\$284,546	(\$114)
Richland	\$90,818	\$1,080	\$91,898	\$92,871	(\$974)
Roosevelt	\$102,370	\$1,218	\$103,588	\$103,848	(\$260)
Rosebud	\$119,159	\$1,417	\$120,577	\$120,851	(\$275)
Sanders	\$121,145	\$1,441	\$122,586	\$122,384	\$203
Sheridan	\$75,124	\$893	\$76,017	\$76,968	(\$950)
Silver Bow	\$40,256	\$479	\$40,734	\$40,800	(\$65)
Stillwater	\$92,547	\$1,101	\$93,648	\$92,308	\$1,340
Sweet Grass	\$50,225	\$597	\$50,823	\$51,462	(\$639)
Teton	\$98,444	\$1,171	\$99,615	\$100,060	(\$445)
Toole	\$69,981	\$832	\$70,813	\$71,903	(\$1,090)
Treasure	\$21,783	\$259	\$22,042	\$22,269	(\$227)
Valley	\$149,611	\$1,779	\$151,391	\$151,396	(\$5)
Wheatland	\$35,425	\$421	\$35,847	\$36,028	(\$181)
Wibaux	\$28,861	\$343	\$29,204	\$29,498	(\$294)
Yellowstone	\$270,957	\$3,223	\$274,179	\$274,511	(\$331)
<b>TOTALS</b>	<b>\$6,306,000</b>	<b>\$75,000</b>	<b>\$6,381,000</b>	<b>\$6,381,000</b>	<b>\$0</b>



# Risk Management

## Travel Safety: Enjoy Your Vacation . . . By Playing it Safe

Provided by Federal Occupation Health, Department of Health and Human Services, <http://www.foh.dhhs.gov/>

Even though you are taking some time off from work, remember not to take time off from safety. Here are some points to consider before you go and while you are away. Today's feature includes the following:

- Securing Your Home
- Packing Your Bags
- While You Are Out and About

### Securing Your Home

*Before leaving for vacation, make sure your home is secured.*

- Keep shades and blinds in their normal position.
- Arrange for someone to pick up your mail/newspapers.
- Make sure all doors and windows are locked.
- Activate home alarm.
- Make sure to turn off all gas pilots and water faucets.
- Set timer to turn lights on and off or have someone check your house periodically.
- Arrange to have grass mowed or snow shoveled while you are away.

### Packing Your Bags

- Take only the essential credit cards and plan to use credit cards or travelers checks as opposed to cash.
- Pack as light as possible; cumbersome bags will slow you down, making you more vulnerable to getting robbed.
- Designer bags can draw unneeded attention so pack in inconspicuous bags.
- Keep valuables and medication.
- Double check to make sure you have everything you need.

### While you are Out and About

- Don't display jewelry, cameras, or other expensive items.
- Check maps before you go so you can tour confidently.
- Stay in well-lit, well traveled areas.
- Always lock your car when parked.
- Travel together; keep an eye on children.

### To Learn More...

Please check out the following web sites:

- National Crime Prevention Council** <http://www.ncpc.org/1pro3dc.htm>
- National Safety Council** <http://www.nsc.org>

Do you have that eerie feeling ...

... That you forgot something?



**MACo**

**Risk Management and Training**

**Emelia McEwen**

Senior Loss Control Specialist

**Fred Hansen**

Loss Control Specialist

**Phone (406) 444-4370**

**FAX (406) 442-5238**

**MONTANA ASSOCIATION OF COUNTIES**  
**98<sup>TH</sup> ANNUAL CONFERENCE**  
BEST WESTERN HERITAGE INN  
1700 FOX FARM ROAD  
GREAT FALLS, MONTANA  
(406) 761-1900  
SEPTEMBER 23 ~ SEPTEMBER 27, 2007

**CONFERENCE PRE-REGISTRATION**

Name.....County/Agency.....

Position/Title..... I am my county's voting delegate ☐

Spouse's name, if attending.....

	<u>Pre-Registration</u>	<u>On Arrival</u>	
<b>Convention Registration:</b> This fee includes three lunches, two banquets, registration materials and the cost of speakers and program.	\$160	\$175	\$ _____
Wednesday Night Banquet	_____ Yes, I will attend	_____ No, I will not attend	
Spouses	\$160	\$175	\$ _____
<u>For optional meal, send additional payment now:</u>			
Prayer Breakfast, Monday	\$ 13		\$ _____
			TOTAL: \$ _____

Make checks payable to MACo, and send with this entire form to MACo at **2715 Skyway Drive, Helena, MT 59602**. For information regarding the conference call Karen Houston at 444-4375.

REGISTRATION FEES WILL BE REFUNDED ONLY IF CANCELLATION  
IS REQUESTED BY WEDNESDAY, SEPTEMBER 19, 2007

**YOU ARE RESPONSIBLE FOR MAKING YOUR OWN LODGING RESERVATIONS!!**

**Cut-off date for making room reservations at Heritage Inn is September 10.**  
**FYI: Room Rates—\$60 for a Single and \$75 for a Double**

**Directions to Anaconda Hills Golf Course  
from the Heritage Inn**

1. Leave Heritage Inn left onto Fox Farm Drive
2. Continue straight through light onto 6<sup>th</sup> Street South-west
3. Follow 6<sup>th</sup> Street Southwest to Northwest Bypass (Fair Grounds)
4. Right onto Northwest Bypass to join 3<sup>rd</sup> Street South-west
5. Follow 3<sup>rd</sup> Street Southwest to join Smelter Avenue
6. Smelter Avenue will take you to the entrance of the golf course

<b>ASSISTING COUNTY GOVERNMENTS ACROSS MONTANA</b>	
	<b>MONTANA ASSOCIATION OF COUNTIES</b>
2715 Skyway Drive Helena, MT 59601-2123	406.444.4360 FAX 406.442.5238 Email: maco@maco.cog.mt.us



# County News

## Bridge Access Could go on Ballot

By Mark Henckel, Outdoor Editor, Billings Gazette

After two sessions of legislative frustration, the Montana Wildlife Federation may go to the people with an initiative to write the state's bridge access rights into law.

The federation announced that the failure of the 2005 and 2007 Montana Legislatures to resolve the issue is forcing the statewide organization to consider different options. Those include working to put an initiative on the statewide ballot.

The final straw for the federation came in the waning days of the 2007 Legislature.

The Republican-led House Fish, Wildlife and Parks Committee, chaired by Rep. Mike Milburn, R-Cascade, voted to table the bill on April 4. Later that day, the full House voted 50-47 not to bring it out on the floor with Republicans voting as a unit against it in an apparent protest against the state budget bill.

"Since then, we haven't seen any substantial dialogue occurring," said Craig Sharpe, the federation's executive director. "We consider a citizens' initiative as a very serious undertaking, but the people of Montana want to be able to access their waterways."

Sharpe said that since the end of the legislative session, he has been inundated by people who were angry with the Legislature over its decision. Comments came from federation members, nonmembers, sportsmen and landowners.

"We have heard from citizens across the state, and they're furious," he said. "They're angry with the direction the Legislature took. So we're going to step it up a notch. The public deserves that."

"This is not part of any grand scheme, as the opponents claim, to chip away at private property rights, nor is it anti-landowner or an effort to expand public access to streams," Sharpe said. "The recreating public, landowners and the counties should be able to clearly understand their rights."

He added that a federation-led initiative was not a done deal.

The federation, he said, will conduct a comprehensive review of the citizens' initiative process. The review will also include:

- An analysis of both the legal access problems at bridges and the 131 problem bridge sites that the Montana Department of Fish, Wildlife and Parks has identified.
- The existing laws and legal decisions over public use of rights of way.
- County enforcement of the existing fencing encroachment statute.
- The cost of running an initiative.
- Gauging public support for the initiative.
- Language for the initiative.

"There is tremendous support for this," Sharpe said. "I can't say we're not going to do it. We're measuring the options. This is in no way an organized attempt to chip away at landowner rights - that's preposterous. That's not our goal at all."

"But how many floaters or anglers have driven up to a bridge only to find a new high-wire fence or a sign to say no trespassing in the right of way. The anglers are not exactly sure what to do. The landowners are not sure. We're trying to resolve this," he said.

Just as Senate Bill 78 did not attempt to expand stream access laws, he said an initiative or, perhaps, new legislative package for 2009 would not seek to expand them either.

What is being sought is a law spelling out the rights of bridge access determined by a 2000 Montana attorney general's decision regarding the public's right to use bridge rights of way for public access to public waters.

*("Bridge Access" Continued on Page 17 . . .)*



### MACo Property and Casualty Insurance AND Workers' Compensation Insurance

For Public Entities

**Greg Jackson**

JPIA/JPA

Trust Administrator

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# County News

## DNRC & Governor's Drought Committee Urge Water Conservation

Submitted by Rob Harper, Public Affairs Officer, Montana DNRC

The Governor's Drought Advisory Committee meeting was on Thursday, July 18<sup>th</sup>, and conservation officials at Montana's Department of Natural Resources and Conservation (DNRC) are urging locals to conserve Montana's water in the face of quickening drought conditions.

As rising heat and declining precipitation diminish Montana's water levels, stream flows are falling quickly across the state –resembling typical mid-August levels. Exacerbating this condition, forecasts for coming weeks call for above-normal temperatures and below-average precipitation. These worsening conditions promise hardship for irrigated agriculture, communities, and fisheries.

For this reason, the Governor's Drought Advisory Committee and the DNRC recommend several measures that irrigators, homeowners, and anglers can take to help mitigate water shortages.

Irrigators in many watersheds voluntarily share the shortage of surface water, and others are encouraged to join this effort. "Since irrigation is the largest of our water uses, sacrifices in diverted water make the biggest difference in keeping our streams and rivers alive," explained DNRC Director, Mary Sexton.

Watershed committees have helped this effort, bringing together a range of public interests from irrigators to fishermen to help maintain a minimum stream flow in critical times of drought. Watershed committees in the Big Hole, Jefferson and Blackfoot rivers are already instituting drought plans to protect their rivers. "By being proactive these groups have limited the impact of drought on the river and the economy," Sexton said.

Homeowners also play a role, and can join irrigators in conserving water around the house and in the yard. In many communities, surface water from a local river sup-



**The Governor's Drought Advisory Committee** and conservation officials at Montana's DNRC are urging locals to conserve Montana's water as drought conditions worsen.

plies their municipal water supply. With this in mind, officials urge homeowners to water their grass less to encourage a hardy lawn.

"Folks can water their lawns in the evening and early morning hours, and avoid watering during the heat of the day, when most of the water evaporates," Sexton said, "Watering trees may be more important than grass; a trophy lawn will survive with less water than you would think."

Anglers have an important role as well. To reduce the stress on fish from low flow and high water temperatures, officials recommend several tips for anglers:

- Fish early in the morning when the stream is cool.
- Fish a lake instead of a stream.
- Use barbless hooks, or hook extractors.
- Try to play a hooked fish for as little time as possible before gently releasing it to survive and reproduce.

For water closure updates from Fish, Wildlife, and Parks, anglers can visit: <http://fwp.mt.gov/fishing/guide/waterclosure.aspx>

As over one month remains before the Fall brings cooler weather and more precipitation, water conservation should be foremost in the minds of Montanans –whether in town or at the ranch. In the coming weeks, everyone can play a part in conserving water and can help keep our State's treasured streams and rivers alive and flowing.

Serving as a clearinghouse for drought-related links, tips, updates, and information, the Montana Governor's Drought Advisory Committee's website is located at: <http://drought.mt.gov>.

The DNRC's Director, Mary Sexton can be reached for comment at (406) 444-1948.

Contact Rob Harper at [robharper@mt.gov](mailto:robharper@mt.gov) or call 406.728.



# County News

## Cancer Forces Commissioner's Resignation

Acknowledgements for this article go to Nick Gevock, Reporter, *The Montana Standard*

Madison County Commissioner Lewis Stahl is resigning after six months on the job to fight brain cancer.

Stahl, 54, has been battling the disease since 2005 and said in recent months he has lost so much energy that it was time to resign. He gave his resignation to fellow commissioners Dave Schulz and Jim Hart during a public hearing.

"My health is starting to give out on me," he said in a telephone interview. "I don't have the stamina I used to have compared to when I started this." Stahl wrote in his resignation letter that the decision to resign was the toughest he's ever had to make in his professional life.

Stahl was first diagnosed with brain cancer in October 2005. He went through chemotherapy and said he felt good enough to run for commissioner by the following spring.

Keeping a good outlook and working has helped Stahl fight the disease, he said.

"I believed that if I had a positive attitude I could out-run this thing," he said.

But from the get-go, Stahl's attendance at commissioner and other county meetings was irregular. He had increased his workload in recent months and made it to more commissioner meetings.

He said the decision to resign was made after consulting with his family.

Stahl agreed to stay on the job until his replacement is appointed. Under state law the two remaining commissioners are required to pick his replacement.

They have advertised the job, which was open to anyone who lives within the commission district and has done so for at least the past two years. Stahl's district covers the north end of Madison County from roughly Harrison to Twin Bridges.

"Being nonpartisan, it's a fairly simple process," Schulz said. "I would hope that people would consider looking at the job." The full-time commissioner's job pays \$37,421 annually.

Reporter Nick Gevock may be reached via email at [nick.gevock@mtstandard.com](mailto:nick.gevock@mtstandard.com)

## Missoula County Commissioner Announced Retirement

Acknowledgements for this article go to Chelsi Moy, Reporter, *The Missoulian*

After nearly three decades of service, Missoula County Commissioner Barbara Evans—one of the longest serving county commissioners in Montana history—announced her retirement more than a year before the end of her term.

In 1979, Jimmy Carter was president. Iranian radicals invaded the U.S. Embassy in Tehran. The song "My Sharona" by The Knack topped the music charts. And Evans took office at the age of 45.

For the next 28 years, Evans, a Republican, fought for private property rights and scrutinized the spending of Missoula County taxpayer dollars, while also pushing for better environmental standards and bending over backward to ensure the safety of all "critters." She played an integral role in the removal of Milltown Dam and the construction of Reserve Street.

Those who worked with her say Evans sticks by her convictions and is not afraid to speak her mind.

"We are not of the same political party, but I admire that she does not typically get locked into an ideology. She's practical, appropriately blunt and funny," said Mayor John Engen. "She and I get along well because we can be quite clear about our agreements and disagreements."

Evans, 72, placed her constituents and their concerns above all else in almost to a fault.

"In some ways, it drives you crazy because you deal

with one citizen at a time with other pressing matters and deadlines looming over you," said Chief County Attorney Mike Sehestedt. "If she wants to work on something, she enlists whatever staff she needs. It just grieves her when there is not a way to solve a situation that makes everyone happy."

Evans served on the first all-women's county commission in the nation in 1985 with current county Chief Administrative Officer Ann Mary Dussault and former city Chief Administrative Office Janet Stevens-Donahue.

"You never have to guess where Barbara stands on an issue," Stevens-Donahue said. "Politicians will try to manipulate circumstances to come out smelling like a rose, and sometimes you can't do that. You have to vote where your heart lies and hope for the best. I think that epitomizes Barbara."

Some Democrats chalk up Evans' nearly three decades as a Republican in the state's liberal haven to her ability to keep an open mind. Tracy Stone-Manning, Missoula field director for US Senator Jon Tester, D-Mont., worked closely with Evans when Stone-Manning was executive director of the Clark Fork Coalition.

Evans was the first Republican to come out in support of removing Milltown Dam, an issue that, at the time, appeared primarily Democratic, Stone-Manning said. From then on, the county worked hard on that issue, she said.

*("Commissioner Evans Retirement" Continued on Page 20 . . .)*





# County News

## Needed State Guidelines Aim for Safer Homes in Fire Zones

Acknowledgements for this editorial go to *Great Fall Tribune*

Like Texans, we Montanans like to brag big: the highest mountains, the biggest bears, the best fishing.

But our latest bragging right — the nation's fiercest forest fire — we could do without.

The Meriwether blaze north of Helena exploded into the nation's top wildfire priority this week. With 12 active burns statewide, Montana now leads the nation in fire activity.

Let's face it, Big Sky Country is big fire country.

And that creates big challenges as more people build homes and cabins in what fire managers call the "wildland/urban interface."

At Holter Lake Wednesday, fire officials evacuated 80 cabins as the Meriwether blaze exploded. On the Ahorn fire west of Augusta, the crew boss of the Chief Mountain Hot Shots was forced to leave the fire line to evacuate his own home.

Across Montana, you don't have to look hard to find multimillion dollar homes shaded by bone-dry pines, or shall we call them kindling waiting for a lightning strike?

After years of debate, our state Legislature took a first step this year toward establishing fire safety standards for new homes built in fire-prone areas.

Although Senate Bill 51 is limited and long overdue, we're encouraged that state and county officials see the necessity for fire safety codes for the sake of taxpayers, public safety and, above all, for the firefighters who risk their lives to defend rural dwellings.

The legislation requires county growth policies to evaluate and "reasonably address" wildland fire danger for new homes and subdivisions. If county officials don't think a risk exists, they don't have to do anything.

The bill gives counties authority to identify areas that are unsuitable for development unless certain measures are taken to reduce the risk.

To aid them, the Montana Department of Natural Resources and Conservation and the state Department of Labor and Industry are developing fire safety guidelines.

The DNRC is writing "best management practices" for property issues such as requiring new homes or subdivisions to have clear, defensible space around them, an adequate water supply and at least two exit routes.

Labor and Industry, meanwhile, is creating standardized building codes that counties can choose to adopt or ignore.



**A mountainside of trees erupts** into flames as the Meriwether fire burns near Craig. (AP Photo/Great Falls Tribune, Robin Loznak)

For example, a county could require fire-resistant roofing materials or indoor sprinklers for new homes tucked into the forest.

"It's giving them kind of a recipe," said DNRC Director Mary Sexton.

We like the idea of assisting counties with their fire safety plans, while giving them leeway to develop fire policies tailored to their own needs.

That said, we expect that more stringent regulations may be needed down the road.

Wildfires sucked almost \$35 million from the state general fund last year, according to Sexton.

Blazes in populated rural areas can cost two to three times as much to fight as those in remote locations, she said.

And every year firefighters die defending public and private property in the United States.

Given their sacrifices, the new regulations are a small price to pay.

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# County News

## State, Counties Settle Tax Dispute With Companies

By Peter Johnson, Staff Writer, *Great Falls Tribune*

The Montana Revenue Department and five Hi-Line counties have reached a settlement with Shelby oil and gas companies that at one time owed more than \$2 million in taxes, penalties and interest.

"A settlement was reached within the last several days," Dave Hunter, deputy director of the state Department of Revenue, confirmed Thursday.

But the settlement document has not been filed, he said, "and the parties involved agreed they would comment on it only through a joint statement, which has not been agreed to yet.

"We expect to issue a joint statement shortly," he added.

Hunter declined to say how much money was involved in the settlement or list the companies that reached agreement, saying he didn't want to jeopardize the pact falling through.

In July 2005, state Department of Revenue officials told the Tribune that Fulton Fuel Co. and other affiliates of William M. Fulton owed \$1.4 million to six northcentral Montana counties: Blaine, Glacier, Liberty, Pondera, Teton and Toole. The state was owed an additional \$881,600, bringing the companies' total tax debt to nearly \$2.3 million.

Dan Bucks, who became director of the Montana Revenue Department earlier that year, vowed to make the case a priority. Bucks said he was "surprised such a significant tax debt has managed to go for this length of time."

By 2006, Fulton Fuel was ranked No. 2 on the list of the state's biggest tax debtors, with the estimate of the amount owed in taxes, interest and penalties having grown to \$3.7 million — \$2.77 million to the six counties and \$958,823 to the state.

Those figures included back taxes due to Toole County, which was owed the largest chunk of the tax debt.

On June 12, 2006, Toole County commissioners approved a separate settlement agreement with Fulton and his companies totaling \$1.2 million to be paid over several years.

Toole County Commissioner Allan Underdal explained Thursday why the county broke away from the state Department of Revenue and the other five counties to settle.

"This tax dispute had gone on for a long time, since well before I joined the commission in 1993," he said.

"We were able to receive a substantial amount of back taxes immediately for our local agencies and taxpayers and we were unwilling to wait any longer for a settlement or litigation that could have taken years, with uncertainties of how it would turn out and potential court costs."

A new operator had purchased the Fulton properties, Underdal added, and commissioners wanted it to be able to operate, hire employees and pay taxes.

The negotiated agreement was with Fulton and the companies he either owned or was involved with, Underdal said. They were Fulton Fuel Co., Fulton Producing Co., S-K Production Co., MCW Transmission, Ltd. and Miners Coulee Gas Gathering Systems, Ltd.

The agreement called for Fulton and the companies to repay Toole County \$700,000, which Underdal said "represented 100 percent of the actual back taxes owed," within a four-month period. They made a final payment of \$100,000 in October 2006, covering the full \$700,000, Underdal said.

In addition, Fulton and the companies agreed to pay Toole County \$500,000 in interest on the back taxes through five annual payments of \$100,000, starting in January 2008.

Underdal said there were differing calculations of how much interest and penalties Toole County was owed, and that the \$500,000 agreed to represented about 40 percent of the highest estimate, made by the state Department of Revenue.

"We were willing to accept a smaller portion in the settlement compromise because we felt the estimate was possibly overstated and might not have been fair to the companies," he said.

Fulton's tax problems started when a 1987 audit first revealed his companies owed about \$400,000 in oil and gas taxes to the six counties. With the subsequent interest tacked on, that bill came to \$1.2 million.

The Fulton companies fell behind on taxes again in the late 1980s when oil prices fell. Department of revenue officials told the Tribune two years ago that the companies failed to pay a variety of taxes from 1989 to 1995 that, coupled with interest, came to another \$961,000.

*You can Reach Tribune Staff Writer Peter Johnson at (406)791-1476, (800)438-6600, or [pjohnson@greatfallstribune.com](mailto:pjohnson@greatfallstribune.com)*



# County News

## County Officials

**SANDERS COUNTY** Justice of the Peace Robert L. Beitz retired as of June 30.

## Zoning & Subdivisions

**BEAVERHEAD COUNTY** commissioners approved the preliminary plat for the Miracle Mountain Subdivision. The proposed 12-lot major subdivision is located approximately one mile south of Polaris, adjacent and east of the Pioneer Mountain Scenic Byway.

**GALLATIN COUNTY** commissioners unanimously turned down a five-lot subdivision west of Four Corners, in part because commissioners worried the project would open the door to more homes in what is now mostly open farmland.

**RAVALLI COUNTY** Zoning Board of Adjustment performed its first official act by approving its first vari-

ance request. The board decided the Brooks Hotel project in Corvallis doesn't have to comply with county zoning that limits subdivision density and can move forward with the plan to build 14 condominium units on 3.35 acres.

## Miscellaneous

**BEAVERHEAD COUNTY** voters rejected a \$200,000 annual mill levy to help fund the sheriff's department, making it the second time in a year the measure has failed.

**CASCADE COUNTY** commissioners approved using two economic development tools at their disposal to further the cause of a proposed private \$3 million grain-processing plant, Montana Milling Inc. They gave final approval to creating a tax-increment financing district and pre-

liminary approval to issuing \$2.5 million in revenue bonds on the company's behalf.

**JEFFERSON COUNTY** commissioners voted to create Saddle Mountain rural improvement and maintenance districts. The total cost of the road improvements is estimated at \$537,000.

**LAKE COUNTY** public health nurses were presented an award from Montana health officials for their exemplary handling of an unusual TB case over the past year.

**MADISON COUNTY** commissioners have unanimously adopted the Madison Valley Growth Management Action Plan.

**MINERAL COUNTY** Sheriff's Office recently purchased two 2003

Chevy Impalas for \$3,500 a piece. The cars were bought from the Montana Surplus Property Program in Helena and came with the police package, which includes special brakes, transmission, and suspension packages.

**RAVALLI COUNTY** will receive a \$15,000 grant from the Department of Agriculture to help a lumber start-up business in Darby.

**VALLEY COUNTY** commissioners voted to proceed with building a new detention center.

**YELLOWSTONE COUNTY** commissioners approved a downtown land swap, which is the latest step in a plan to build a new \$20 million federal courthouse and possibly other government offices near the Yellowstone County Courthouse.

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## Who is Greg Chilcott?

Greg Chilcott: Ravalli County Commissioner

**If you have a spouse, what is her name?** Vickie

**How many years have you been in public service?**

That depends on how you interpret "public service" . . . I was active in the volunteer fire service, search and rescue and advanced pre-hospital care for 15 years; I served as the DES Coordinator and School Board trustee for a couple of years and as a County Commissioner for 4½ years. If you add all of that up it comes out to a little over 20 years! Wow! Am I that old?

**What is your occupation (s)?** Ravalli County Commissioner

**What did you do professionally before becoming a commissioner?** DES Coordinator, General Manager of Sure-Way Systems, Inc.

**Education: Where and what did you study?** B.S. (how appropriate) in Secondary Education from Western Montana College in Dillon

**What is the hardest thing you've ever done?** Convincing my wife to marry me

**Name three people (living or dead) you'd invite to dinner (can be anyone).** Abraham Lincoln, my Grandpa and Jesus

**What is a dream you have?** Our children realizing their full potential and common sense actually becoming common



**Nothing Like a Little Down Time . . .**

Greg's favorite way to relax involves a beach in Mexico and cold beer. Sounds good!

**What is something people would be surprised to learn about you?**

I spent 10 years as an Alaska bush pilot and flew back and forth to work every day for over 4

years. And the fact that I have seven (7) beautiful grand children!

**What is the most adventurous thing you've ever done?**

Guiding Alaska

brown bear and caribou hunters

**What is your favorite way to relax?** Mexican beach, cold beer . . .

**What are you most proud of?** My family

**What is something you read every morning and/or night?** The newspaper

**What is your favorite meal?** Rib eye steak (medium rare) and a baked potato with way too much butter!

**What is your biggest pet peeve?** Expectant people who complain without offering solutions.

**What is your motto?** Tenacity makes things happen!

**What was the last book you read?** *State of Fear* by Michael Crichton

**What is your favorite movie?** *Swiss Family Robinson*

*If you would like to contact Commissioner Greg Chilcott, he can be reached by phone or email: 406-777-5569 (home), 406-375-6502 (work), [gchilcott@ravalliacounty.mt.gov](mailto:gchilcott@ravalliacounty.mt.gov) .*



## NACo Launches County Climate Protection Program

By Kelly Zonderwyk, Senior Community Services Associate, NACo

With escalating attention given to climate change, one thing is apparent – counties can and are assuming a role as “agents of change” in reducing greenhouse gas emissions. In March 2007, the NACo Board of Directors adopted a resolution calling on NACo to urge Congress to address global warming, regardless of its source. The resolution also called on NACo to provide a leadership role in the education, discussion, evaluation and decision making processes regarding issues of global climate change affecting counties.

It can be challenging for a county to navigate the world of climate change while remaining mindful of local and regional conditions. NACo is working to make that process easier. The NACo County Climate Protection Program will support counties as they work to have a positive impact in their communities – reducing emissions, benefiting the environment and public health, and saving taxpayer dollars. This new program will provide counties with best practices, tools and resources to assist them in developing and implementing successful climate change programs at home.

The first step for a county to participate in the program is to adopt a pledge to reduce greenhouse gas emissions by a numerical target. Because one size does not fit all, NACo offers counties a pledge template allowing them to select from existing national campaigns with quantifiable targets to reduce global warming, or to establish their own appropriate goal.

King County, Washington has been a leader in addressing global warming. As the first county in the country to join the Chicago Climate Exchange, the county will work to have emissions in 2010 be 6% below average emissions from 1998 to 2001. The county is also currently working on a guidebook to help communities prepare for climate change impacts. The guidebook will become part of ICLEI's (International Council of Local Environmental Initiatives) Climate Resilient Communities program, which is administered by the National Oceanic and Atmospheric Administration (NOAA).

In Arlington County, Virginia the Fresh AIRE (Arlington Initiative to Reduce Emissions) Campaign includes a goal that the Arlington County government will reduce its greenhouse gas emissions by 10% from 2000 to 2012.

Sarasota County, Florida recently became the nation's first county to adopt the American Institute of Architects 2030

Challenge. The Challenge calls for reducing the use of fossil fuel in renovated and new buildings by 60 percent in 2010, 70 percent in 2015, 80 percent in 2020 and 90 percent in 2025. The ultimate goal is to design county buildings to be carbon-neutral by the year 2030, using no fossil fuel energy and producing no greenhouse gases.

Other counties across the country have been reducing greenhouse gas emissions through improvements in their own county operations, especially the energy performance of county facilities. For example, the energy efficiency improvements that Story County, Iowa has conducted over the past several years have helped the county reduce its greenhouse gas emissions by over 4,200 pounds a year.

Marinette County, Wisconsin, a 2006 County ENERGY STAR Change a Light Campaign winner, encouraged individuals to change a light in their home to an energy efficient one. The estimated savings was nearly 47,000 pounds of greenhouse gas emissions reduced.

While goals will differ, each step towards reducing greenhouse gas emissions, regardless of the source, is a move in the right direction. And, counties will renew their pledge in order to maintain their participation in the program – providing a timetable to re-examine and establish new goals. NACo believes the program will provide counties at any stage in addressing climate protection an opportunity to learn how they can play an active role, implement strategies, evaluate results, and determine realistic adjustments for future targets.

Committed to peer-to-peer networking so as not to ‘reinvent the wheel,’ NACo is building on work by Fairfax County, Virginia to develop a searchable clearinghouse of policies and programs within areas including: energy efficiency, renewable energy options, land use planning, water quality, fleets, buildings, transportation, purchasing, and education. As each county works to develop a comprehensive climate protection plan – which will map steps to achieve the goal with necessary policy, program and budget commitments – they will submit pieces of their plan to an online, searchable clearinghouse as a resource for other counties.

To obtain a copy of the pledge template in order to join the NACo County Climate Protection program visit [www.naco.org/climateprotection](http://www.naco.org/climateprotection), contact Kelly Zonderwyk at [kzonderwyk@naco.org](mailto:kzonderwyk@naco.org) or 202.942.4224.



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## First NACo County Climate Protection Forum

Register Today at [www.naco.org/climateforum](http://www.naco.org/climateforum)

**When: September 20 – 21, 2007**  
**Where: Washington, DC**

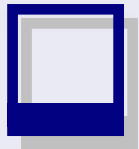
NACo is convening counties from across the nation for the first time on the climate change issue. This two-day dialogue and peer-to-peer networking opportunity will provide counties with best practices, tools and resources to assist them in developing and implementing a successful climate change program at home.

Elected county officials and staff will come from counties of all sizes and locations. Counties advanced in their climate efforts, those just beginning, and those looking for more ideas and resources will all have something to learn.

**Be sure to register early! Limit first 100 individuals!**  
**The Forum will:**

- Assist counties in understanding the role they may play in reducing greenhouse gas emissions;
- Provide an extensive opportunity to discuss current strategies, future goals and new methods to address climate change, especially regional collaboration;
- Demonstrate counties are engaged on this issue;
- Establish a future date for counties to individually host regional dialogues with key stakeholders on climate change.

For more information contact Kelly Zonderwyk at [kzonderwyk@naco.org](mailto:kzonderwyk@naco.org) or 202.942.4224.



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## NACo Applauds House for \$20 Million Boost in PILT Funds

By Jim Philipps, NACo, Media Relations Manager

**WASHINGTON, D.C.** – The National Association of Counties (NACo) today applauded the House of Representatives for passing an amendment to fiscal 2008 Interior-Environment appropriations bill which would increase funds for the Payment In Lieu of Taxes (PILT) program by more than \$20 million. Increased funding for the PILT program is a legislative priority for NACo.

The amendment was offered by Rep. Chris Cannon (R-Utah), who is a senior member of the National Parks, Forests, and Public Lands Subcommittee of the Natural Resources Committee. The measure would redirect funds from the Department of the Interior's Office of Secretary to PILT, effectively increasing PILT appropriations to \$253 million for fiscal 2008. The amendment passed by voice vote.

Specifically, the amendment would decrease funds for the Office of the Secretary by \$23,148,000 and in turn increase funds for the PILT programs by \$20,148,000. The enacted fiscal 2006 appropriation is \$233 million. If the amendment becomes law, the fiscal 2007 appropriation for PILT would be \$253 million.

Earlier this month, both the House and Senate Appropiations Committees included \$233 million for PILT in their reported bill, which is the same level appropriated in fiscal 2006 and 2007. The administration has threatened to veto the Interior-Environment Appropriations bill should it exceed the administration's recommended spending level. Currently, the \$27.6 billion measure exceeds the president's spending request by \$2 billion.

"On behalf of the nation's counties, I applaud Rep. Cannon and all members who support the PILT program," said NACo Executive Director Larry E. Naake. "These payments are critical to help counties provide police and firefighting services, search and rescue missions, and infrastructure improvements to transportation and public school systems."

The PILT program, enacted in 1976, was developed to offset county losses in property taxes due to nontaxable federal lands within their boundaries. PILT payments help counties provide vital services to their communities including education, solid waste disposal, law enforcement, search and rescue, health care, environmental compliance, fire fighting, parks and recreation and other important county services.



## NACo Prescription Drug Discount Card Program

The NACo Prescription Drug Discount Card program was designed for your uninsured and underinsured county residents. Through a partnership with Caremark, this simple discount card can save an average of 20% off the full retail cost of prescription medication. Here are the key factors that make it a great program:

**It is easy to participate.** There are no enrollment fees, no forms to fill out, no age or income requirements, and no medical condition restrictions. The entire family is covered with just one card and virtually all commonly prescribed medicine is covered.

**There are no costs.** There is no cost to the county, county taxpayers, or consumers to participate. Caremark negotiates the discounts directly with participating pharmacies. Neither NACo nor the participating counties receive any revenue from the program.

**Everyone is eligible.** The discount cards are provided free to residents living in participating NACo member counties across the country. A national network of more than 57,000 retail pharmacies honor the card.

**Consumers always receive the lowest retail price.** On occasion, pharmacies will price a particular medication lower than the discount rate available with the NACo card. If that occurs, consumers will receive the lower price. Either way, consumers will always receive the best price available.

**Your county must be a NACo member to participate!** For questions or to enroll in the program, please contact Harold Blattie, Executive Director, MACo: [blattie@maco.cog.mt.us](mailto:blattie@maco.cog.mt.us).



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# NACo Annual Conference



## Report: Richmond, Virginia, July 13~17, 2007

Submitted by Alan Thompson, Ravalli County Commissioner, MT Public Lands Steering Committee Representative

### Federal Lands Management Subcommittee

This Subcommittee is chaired by Commissioner Alan Gardner of Washington County, Utah, and he is also the president of WIR. The committee looked at 14 different resolutions and made some changes to some of them. Most of the changes were minor language changes that cleared up some discrepancies. We also looked at three resolutions from other NACo committees and approved them with slight language change.

### Federal Lands Payment Subcommittee

This Subcommittee is chaired by Connie Eissinger of Montana. Bob Douglas spoke about where we are on the Secure Rural Schools act. Mr. Douglas says Senator Baucus has proposed a 5 year extension of the act and is committed to working with a tax package for funding.

Senator Craig of Idaho introduced a 5 year reauthorization in an Interior appropriations bill but did not receive enough votes in committee, so it was pulled. Mr. Douglas was sure there would be some sort of bill presented in the Senate.

In the House, Representative Walden tried to bring HR17 before the floor which would reauthorize the act for 6 years but was told the proposal was out of order, and it was therefore withdrawn as well.

There are other proposals that are forth coming. Both Energy and Appropriations are considering proposals. On July 16<sup>th</sup> there was a bill introduced that will authorize SRS for 5 years and include full funding of PILT. The bill would make adjustments as to how the funding would happen.

They are trying to structure it so that anyone would receive not less than they were currently receiving for a period of 5 years.

We looked at reaffirming resolutions. The one that received the most comment was related to PILT; some want to change the funding formula, but the consensus of the committee was to get full funding and then look at the formula. Many thought if we look at changes while trying to get full funding, we would accomplish neither.

Both Todd Devlin and Bill Leach from Prairie County were there and spoke about the changes they think need to take place in PILT funding.

### Gateway Communities Subcommittee

This Subcommittee is chaired by Commissioner Dorothea Farris of Pitkin County, Colorado. Most of our time in this committee was spent talking

about the proposed changes to the Clean Water Act. There is a bill before congress that would change navigable waters of the U.S. to "ALL" waters. This in effect will make even road side waters come under jurisdiction of the Army Corp of Engineers and would create havoc in Counties hoping to do projects of any type.

Our final resolution leaves in navigable waters and limits federal jurisdiction of local projects. We also passed a resolution to streamline the process for new grazing regulations.

### Public Lands Steering Committee

Chairman of this committee is Elizabeth Archuleta, Commissioner from Coconino County, Arizona. A report from each of the chairmen of the subcommittees was

("NACo Report" Continued on Page 18 . . .)



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# NACo Annual Conference



## President's Report: Continued from Page 1

The Resolution on Waters of the U.S., was amended from a similar resolution adopted last year to add language 'opposing federal efforts to further expand the authority and responsibilities of the Army Corps of Engineers' and was passed again this year by a vote of 34 to 19. The Restore Clean Water Act resolution failed by a similar vote of 31 to 16 and was diametrically opposed to the Resolution on Waters of the US.

The resolution to Restore the Clean Water Act was submitted to be in support of H.R. 2421 introduced by Representative Oberstar of Minnesota. Presented as a response to two separate US Supreme Court decisions, *SWANCC vs. the US*, and *Rapanos vs. the US*, it was stated that the intent was to restore protections that were in the Clean Water Act of 1972. It is worthy to note that the Minnesota Association of Counties was opposed to HR 2412, and most Minnesota Commissioners voted against HR 2412.

The Water Quality Subcommittee discussion centered on the issue of the HR 2421 and the Clean Water Act. The committee heard from Congressional staff supporting HR 2421 and from Virginia Albrecht, representing opposition to HR 2421. The Congressional staffer stated that HR 2421 would only restore those aspects of the Clean Water Act that were diluted by the two Supreme Court decisions. Virginia Albrecht had a much different opinion.

According to Ms. Albrecht, HR 2421 would give the Corps of Engineers much broader authority by expanding the definition of 'waters of the US' to include all **intrastate** waters and activities affecting these waters, which would include maintaining road side barrow ditches, irrigation ditches, converted cropland, and waste water treatment systems. Counties would face a huge burden through increased costs for compliance, and the time it would take to get Corps of Engineering permits. Ms. Albrecht stated that key differences in HR 2421 from the present Clean Water Act:

1. It would regulate all intrastate waters.
2. It would involve all legislative power of Congress under the Constitution. ( Not just the Commerce Clause as under the current CWA)
3. It does not exempt prior converted cropland or waste treatment systems.
4. It would reach "activities affecting waters", not just activities in waters.

Additionally, HR 2421 would also infringe heavily on what are considered 'States Rights issues,' usurping the authority of State and Local Governments. There is a misconception that if the Corps of Engineers does not regulate the Clean Water Act,

that there is no regulation. We all know that the Montana Department of Quality, and Fish, Wildlife and Parks also issues permits for navigable streams in Montana.

I supported the Resolution on Waters of the US, which was presented by Commissioner Robert Cope of Idaho and voted against the Resolution to Restore the Clean Water Act, presented by Brett Hulse of Wisconsin. I also thought that after the votes during the full EELU Committee, the issue was laid to rest; however, the minority took it upon themselves to 'petition' the NACo Board and offered a motion to table the Resolution on Waters of the US. Their effort met with a 97 to 3 defeat and was considered by most of the committee to be very underhanded and disrespectful.

The Proposed Resolution in Support of HR 85, the Energy Technology Transfer Act, was introduced by Michael Anaya of New Mexico. HR 85 would create regional centers for research and development and encourage demonstration projects and commercial applications of advanced energy technologies. The resolution passed unanimously. A regional center could be located in Montana and managed by the University system, similar to the Big Sky Carbon Sequestration Partnership at Montana State University. The Big Sky Carbon Sequestration Partnership involves other neighboring States including Washington, Oregon, and Idaho.

It was very apparent that much of the country is very concerned about global warming, and the NACo Annual conference had a major focus on renewable energy and energy conservation. Many people believe that the United States can become energy self sufficient through development of alternative energy, and they promote phasing out completely the use of fossil fuels and Green House Gas emissions. The people that I have heard from in the Department of Energy, The Montana Governors Office, and the Department of Defense state that we can only provide up to 15% of the total energy needed in the U.S. from wind energy, and perhaps another 15% from other alternative renewable sources such as bio-fuels and ethanol.

I strongly believe in the importance of our representation at these conferences. As Commissioner Dennis Fink of Minnesota so eloquently stated, "if you are not seated at the table, you may very well be on the menu." Or as our own Vern Peterson tells it, "Those who show up, get to make the rules."

I once again want to thank MACo for the opportunity to represent our Association at NACo. I hope that I have represented our views. I would be happy to discuss any of the issues the EELU committee deals with.

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# NACo Annual Conference



## NACo Report: Continued from Page 16

given, and they spoke about each of the resolutions that were reaffirmed. The full committee then voted to accept the recommendations from the subcommittees, and all resolutions were reaffirmed.

Next we heard a new resolution from Commissioner Lin Hintze of Idaho that was co-sponsored by Todd Devlin and Bill Leach of Montana. The resolution would change the funding of PILT, and they hoped to correct inequities in the formula. The amendment to the resolution was not adopted, because there was not enough information as to how it would affect each county. Commissioner Devlin said he would try to provide some numbers for the meeting scheduled for Monday. We approved the resolution asking Congress to fully fund PILT without Devlin's amendment.

The next resolution that was brought forth was one dealing with OHV use on Federal Lands. Considerable discussion took place, and finally a Commissioner from Oregon asked for the resolution to be tabled until the next Legislative Conference. The Gateway Communities resolutions were also tabled until the Legislative Conference. We discussed and approved the resolution defining the waters of the U.S. Our definition leaves intact the language that defines those waters as navigable and asks for limitations of federal control.

We then looked at various resolutions from other committees, and after some discussion we approved them. Those resolutions dealt with natural gas drilling, consistency with local land use laws, and cell tower sites on Federal lands. I will have copies of all these resolutions available at our meeting in Great Falls in September should anyone wish to review them.

There was a short policy update from James Davenport who is with NACo. Cynthia Moses-Nedd then spoke about all

the issues that were discussed at the WIR meeting. Randy Phillips went over the report that had been submitted by our Wildland Fire Leadership Council Representative, Jim Wattenburger, who could not be there.

The joint working group from Energy, Environment and Land use and Public Lands Committees presented some language change to the Endangered Species Act platform that was voted on and passed. Finally there was a motion to accept all the resolutions as changed and that passed unanimously.

### PILT Meeting

This is the third meeting we have held to see if we can come to some consensus on funding of PILT. Commissioner Todd Devlin has been at all the meetings and has pushed to see that there is a change in the funding formula. Commissioner Devlin presented some figures he compiled for counties who had representatives on the Public Lands Committee and spent some time explaining his rationale for changing the formula. There was a lot of discussion as to how it would affect each county.

Todd wanted to see all prior year payments removed from the formula as well as changes in population caps and flat rate per acreages so that no one county receives more than any other. I spoke against the removal of prior year payments because of what it may do to the Secure Rural Schools legislation. The reauthorization of SRS is tenuous at best, and to remove counties prior year payments and allow everyone to fund title three programs instead of title two and RACS would kill the legislation in Congress.

No one felt we had enough information about the counties we represent to make a motion and change the formula. As the Forest Coalition Representative, I could not in good conscience vote without knowing how member counties would want me to vote. Our liaisons from NACo who help us on both Public Lands and BLM will compile data, and we will have another go at it in the next meeting we attend.

I attended all the general sessions and various workshops of the conference and listened to the various speakers. I will be glad to share information with anyone who would so desire.

The closing session included voting for the second vice president. Commissioner Altemus of Virginia barely defeated Commissioner Whitley from Texas. There is now a challenge to the voting and how they were cast.

I enjoyed the conference and appreciate the support from the Coalition of Forest Counties. Should there be any resolutions that you would want me to present, please contact me, and we will work to formulate them and present them to the organization. I will have a report at our annual conference in September and will answer questions at that time.



**Montana Officials** manage to fit in a meal between general sessions, speakers, workshops, and various committee meetings.



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# Announcements & Reminders

## Register for the 2007 County ENERGY STAR Change a Light Campaign

NACo, in cooperation with Office Depot, is pleased to announce the second annual County ENERGY STAR Change a Light Campaign, part of the Environmental Protection Agency's national ENERGY STAR Change a Light Campaign. Join with county governments from across the nation to help lower our country's energy consumption and curb greenhouse gas emissions.

The Campaign asks individuals to pledge to change a light in their home to an energy efficient one. In 2006, over 6,000 pledges were collected from county employees. This will help to prevent over 2.7 million pounds of greenhouse gas emissions thanks to an energy savings of more than 1.7 million kWh.

By popular demand, the 2007 County ENERGY STAR Change a Light Campaign has expanded to include county residents. The Campaign will be conducted over two phases. Counties have the option to register for either or both phases of this year's Campaign.

### Phase 1: County Employees

**Pledge Collection: July 1– September 13, 2007**

### Boilers For Sale

Hill County has three natural gas boilers for sale. For more information contact the Hill County Commissioners at 265-5481, ext. 227 or email [nicholsl@co.hill.mt.us](mailto:nicholsl@co.hill.mt.us). No reasonable offer will be refused.

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### Phase 2: County Residents

**Pledge Collection: October 3 – November 30, 2007**

Each individual who pledges will receive a coupon for \$3 off the purchase of an ENERGY STAR light bulb from Office Depot.

Go online today to register your county as a participant and for more information: [www.naco.org/regCAL](http://www.naco.org/regCAL). Winning counties from each phase will receive special national recognition.

For more information contact either Alison Abbors at 202.942.4274/[aabbors@naco.org](mailto:aabbors@naco.org), or, Kelly Zonderwyk at 202.942.4224/[kzonderwyk@naco.org](mailto:kzonderwyk@naco.org).

## Madison County Announcement

**Submitted by Doris Fischer, Former Madison  
County Planning Director**

Many of you already know that I have resigned my position as Madison County Planning Director. Staci Beecher, our Planner I for the past 18 months, has also resigned.

Planning Assistant/Planning Board Secretary Marilee Tucker will continue to keep the doors open, and the County Commissioners are preparing to contract out a limited number of development reviews to consulting planners. Efforts to hire a new Planning Director are well underway. Advertising for Staci's position and that of a third planner spot will begin once the County has selected the new Director.

I wish each of you the best, hope to stay in touch with many of you, and thank you for your past and continued interest and involvement in planning for the future of Madison County. Thanks also for your patience during this time of transition for the Planning Office.



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# Announcements & Reminders

## Commissioner Evans Retirement: Continued from Page 8

"In a time where partisanship was so abundant, she busted through that," Stone-Manning said.

Although the two didn't see eye to eye on all matters, there was always a mutual understanding and respect.

"Sometimes she would drive me to distraction and sometimes she was our biggest champion," she said. "It doesn't always happen that an elected official can agree with you on one issue and then disagree with you on another. I think that's a good way of governing."

One thing is undisputable: Evans cares just as much about her four-legged friends as she does her two-legged ones.

William Deschamps, chairman of the Missoula County Central Republican Committee, used to also be the chairman of the Larchmont Golf Course.

When somebody slipped gold fish into the golf course's ponds, the U.S. Forest Service said they had to be poisoned in order to prevent osprey from picking them up and dropping them into nearby rivers, potentially harming native trout.

"Barbara was out in her boat trying to catch the fish because she didn't want them hurt," Deschamps said. "She wants them, critters as she calls them, to all be treated equally."

Evans' retirement will not take effect until the end of August. The county's Republican committee will nominate three candidates to fill her seat on the commission until her term expires in December 2008.

Evans was last elected in November 2002. County commissioners serve six-year terms. Her retirement leaves Bill Tandy as the current longest serving commissioner in Montana.

*Reporter Chelsi Moy can be reached at 523-5260 or at [Chelsi.Moy@missoulia.com](mailto:Chelsi.Moy@missoulia.com)*

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# Conclusions

## “Bridge Access”: Continued from Page 6

"SB78 did more than just look at the AG's opinion," Sharpe said. "We tried to expand that a little bit. We tried to reach across the aisle to landowners and county officials on the fencing issue. Sportsmen and recreationists realize that they need a fence to control livestock. We tried to provide some liability protections for landowners and the counties. We were willing to pony up money if the landowner wanted to improve the access. The sportsmen would pay for that."

The Montana Stockgrowers provided the primary opposition to SB78 in the 2007 Legislature before it got caught up in politics at the end of the session.

Sharpe said that while the Montana Association of Counties and others worked hard over the 16 months during which SB78 was crafted for introduction into the Legislature, the Stockgrowers chose not to be part of the bill-drafting process and to oppose it at the Legislature instead.

Now, he said, it is time for MWF to look at other options to get bridge access spelled out in the law.

"This is not just about the Ruby or the Madison or other individual rivers," Sharpe said. "It's clear to us that the attorney general's opinion gives the public legal access to our streams at public bridge crossings and rights of way. It's the law of the land. This is about the public's right to access public waters. For the public to have a uniform law that applies across the board is the appropriate approach."

*You can contact Mark Henckel at [henckel@billingsgazette.com](mailto:henckel@billingsgazette.com) or 633-2598.*

### Fun Fact

John Adams and Thomas Jefferson both died on the same day. Even more ironically, it was **July 4, 1826**; the 50th Anniversary of the signing of the Declaration of Independence.

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